

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
WIENER STADTISCHE Versicherung AG  
VIENNA INSURANCE GROUP,

Case No. 08-CV-01111

Plaintiff,

-against-

VIVENDI UNIVERSAL, S.A., et al.,

**AFFIDAVIT OF SERVICE**

Defendant(s).

-----X  
STATE OF NEW YORK )

s.s. :

COUNTY OF NEW YORK )

JASON AGEE, being duly sworn, deposes and says that he is an employee of KEATING & WALKER ATTORNEY SERVICE, INC., is over the age of eighteen years and is not a party to the action.

That on the 11th day of February, 2008, at approximately 4:35 p.m., deponent served a true copy of the **SUMMONS; CIVIL COVER SHEET and COMPLAINT** upon Jean-Marie Messier c/o Messier Partners, LLC at One Rockefeller Plaza, Suite 1502, New York, New York 10020 by personally delivering and leaving the same with Franca Efangon, Assistant to Jean-Marie Messier, who is authorized by appointment to accept service.


Franca Efangon is a black female, approximately 35 years of age, is approximately 5 feet and 8 inches tall, weighs approximately 130 pounds, with long black hair and dark eyes.

That on the 12th day of February, 2008 deponent served another copy of the foregoing upon the defendant by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL and CONFIDENTIAL" written on the same, and not indicating on the outside that it is from an attorney or concerns a legal matter, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows:

**Jean-Marie Messier  
c/o Messier Partners, LLC  
One Rockefeller Plaza, Suite 1502  
New York, New York 10020**

Sworn to before me this  
12th day of February, 2008

  
\_\_\_\_\_  
JASON AGEE #1196790

  
MICHAEL J. KEATING  
NOTARY PUBLIC, STATE OF NEW YORK  
Reg. No. 01-KE-4851559  
Qualified in New York County  
Commission expires February 3, 2010

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

WIENER STÄDTISCHE Versicherung AG  
VIENNA INSURANCE GROUP

SUMMONS IN A CIVIL ACTION

V.

Vivendi Universal, S.A., Jean Marie Messier,  
and Guillaume Hannezo

CASE NUMBER:

08 CV 01111

TO: (Name and address of Defendant)

Jean Marie Messier  
Messier Partners LLC  
1 Rockefeller Plaza  
New York, NY 10020

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William H. Narwold  
Motley Rice LLC  
One Corporate Center  
20 Church Street, 17th Floor  
Hartford, CT 06103

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

FEB 04 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

|  |       |
|--|-------|
| Service of the Summons and complaint was made by me <sup>(1)</sup> | DATE  |
| NAME OF SERVER ( <i>PRINT</i> )                                    | TITLE |

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

**STATEMENT OF SERVICE FEES**

|        |          |              |
|--------|----------|--------------|
| TRAVEL | SERVICES | TOTAL \$0.00 |
|--------|----------|--------------|

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Server*

\_\_\_\_\_  
*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.